

ORDINANCE NO. 10-
AN ORDINANCE APPROVING A REZONE FOR THE BALTIMORE RAVINE
SPECIFIC PLAN AND STUDY AREAS PROJECT (FILE RE 07-1)

THE CITY COUNCIL OF THE CITY OF AUBURN FINDS AS FOLLOWS:

WHEREAS, the City Council held a properly noticed, public hearing at its special meeting of January 13, 2011, to consider the Baltimore Ravine Specific Plan (BRSP) and Study Area project, which is proposed for the 406-acre Urban Reserve area situated in southwest Auburn. The proposal includes the rezone of Plan Area 1 of the Baltimore Ravine Specific Plan and Study Areas 1-4 of the Urban Reserve area.

WHEREAS, the City of Auburn City Council has considered all of the evidence submitted into the administrative record including:

1. Agenda reports prepared by the Community Development Department for the January 13, 2011 City Council meeting and for the December 15, 2009; March 25, 2010; July 13, 2010; August 3, 2010; September 21, 2010 and November 16, 2010 Planning Commission meetings.
2. Staff presentation at the public hearing held on January 13, 2011.
3. Documents submitted by the applicant including but not limited to the BRSP, Large Lot Tentative Map, and photographs.
4. Public comments, written and oral, received and/or submitted at or prior to the public hearing, supporting and/or opposing the applicant's request.

5. All related documents received and/or submitted at or prior to the public hearing.
6. The City of Auburn General Plan, Zoning Ordinance, and all other applicable regulations and codes.
7. The Environmental Impact Report, and all related documents.

Whereas, the Rezone for the Baltimore Ravine Specific Plan and Study Area project (File RE 07-1) is:

1. Consistent with the City of Auburn General Plan; and
2. Not detrimental to the public interest, health, safety, or welfare of the City.

THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY ORDAIN:

Section 1: The Zoning Map of the City of Auburn, adopted by reference by Section 159.017 of Chapter 159 of Title XV of the Auburn Municipal Code, is hereby amended as follows:

1. Plan Area 1 of the BRSP – Rezone Plan Area 1 consistent with the BRSP land use designations.
2. Future Plan Area 2 of the BRSP – Retain the existing zoning.
3. Study Areas 1-4 – Rezone Study Areas 1, 2, 3, and 4 to Agricultural Residential with a 2-acre lot size minimum (AR-2).

Section 2: All requirements of the California Planning Act, the California Environmental Quality Act, and of Chapter 159 of Title XV of the Auburn Municipal Code, including hearings upon property notice, have been fully complied with by the Planning Commission and the City Council in the adoption of this zoning amendment.

1
2 Section 3: This Ordinance shall take effect thirty days following its
3 adoption as provided by Government Code Section 36937.

4 Section 4: Should any provision of this Ordinance, or its application to
5 any person, parcel or circumstance, be determined by a court of competent
6 jurisdiction to be unlawful, unenforceable or otherwise void, that
7 determination shall have no effect on any other provision of this Ordinance or
8 the application of this Ordinance to any other person, parcel or circumstance
9 and, to that end, the provisions hereof are severable.
10

11 Section 5: The City Clerk shall certify to the passage and adoption of
12 this Ordinance and shall give notice of its adoption as required by law.

13 DATED: January 13, 2011
14

15
16 _____
William W. Kirby, M.D., Mayor
17

18 ATTEST:
19

20 _____
Joseph G. R. Labrie, City Clerk
21

22 I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify
23 that the foregoing ordinance was duly passed at a special meeting of the City
24 Council of the City of Auburn held on the 13th day of January 2011 by the
following vote on roll call:

25 Ayes:
26 Noes:
27 Absent:

28 _____
Joseph G. R. Labrie, City Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney